

AIR QUALITY PERMIT

Issued To: Casino Creek Concrete, Inc.
P.O. Box 3501
Lewistown, MT 59457

Permit #2696-03
Administrative Amendment (AA)
Request Received: 4/10/2006
Decision on AA Issued: 5/10/2006
Permit Final: 5/26/06
AFS #777-2696

An air quality permit, with conditions, is hereby granted to Casino Creek Concrete, Inc. (Casino Creek), pursuant to Sections 75-2-204 and 211, Montana Code Annotated (MCA), as amended, and the Administrative Rules of Montana (ARM) 17.8.740, *et seq.*, as amended, for the following:

Section I: Permitted Facilities

A. Plant Location:

Permit #2696-03 applies while operating at any location in Montana, except those areas having a Department of Environmental Quality (Department)-approved permitting program, areas considered tribal lands, or areas in or within 10 kilometers (km) of certain particulate matter with an aerodynamic diameter of 10 microns or less (PM₁₀) nonattainment areas. *A Missoula County air quality permit will be required for locations within Missoula County, Montana.* An addendum will be required for locations in or within 10 km of certain PM₁₀ nonattainment areas.

B. Current Permit Action:

On April 10, 2006, Casino Creek submitted a request to amend Permit #2696-02. Casino Creek requested to add a Nordberg HP200 Closed Circuit Cone Crusher and associated equipment to Permit #2696-02. The additional equipment results in the generation of particulate emissions of less than 15 tons per year. Therefore, the crushing facility is added in accordance with ARM 17.8.745. The current permit action will add the new equipment to the list of permitted equipment and update the permit to reflect current permit language.

Section II: Conditions and Limitations

A. Emission Limitations

1. Casino Creek shall install, operate, and maintain the fabric filter dust collector, a rubber boot load-out spout as specified in their Montana Air Quality Permit and all supporting documentation (ARM 17.8.752):
 - a. Casino Creek shall install, operate, and maintain the fabric filter dust collector on every cement and cement supplement silo ventilation opening; and
 - b. Casino Creek shall install, operate, and maintain the rubber boot load-out spout on every product load-out opening on the concrete plant, where cementations and aggregate materials are transferred for mixing.
2. All visible emissions from any Standards of Performance for New Stationary Source (NSPS)-affected crusher shall not exhibit an opacity of 15% or greater averaged over 6-consecutive minutes (ARM 17.8.340 and 40 CFR 60, Subpart OOO).
3. All visible emissions from any other NSPS-affected equipment, such as screens or conveyor transfers, shall not exhibit an opacity of 10% or greater averaged over 6-consecutive minutes (ARM 17.8.340 and 40 CFR, Subpart OOO).

4. All visible emissions from any non-NSPS affected equipment shall not exhibit an opacity of 20% or greater averaged over 6-consecutive minutes (ARM 17.8.304).
5. Casino Creek shall not cause or authorize to be discharged into the atmosphere from a concrete batch plant:
6. Any vent emissions that exhibit an opacity of 20% or greater averaged over six consecutive minutes (ARM 17.8.304 and ARM 17.8.752).
7. Any fugitive emissions from the source, or from any material transfer operations, including, but not limited to, truck loading or unloading, which exhibit an opacity of 20% or greater averaged over six consecutive minutes (ARM 17.8.308 and ARM 17.8.752).
8. Casino Creek shall not cause or authorize the use of any street, road, or parking lot without taking reasonable precautions to control emissions of airborne particulate matter (ARM 17.8.308).
9. Casino Creek shall treat all unpaved portions of the haul roads, access roads, parking lots, or the general plant area with water and/or chemical dust suppressant as necessary to maintain compliance with the reasonable precautions limitation in Section II.A.5 (ARM 17.8.749).
10. Water and spray bars shall be available on site at all times and operated as necessary to maintain compliance with the opacity limitations in Sections II.A.1 and II.A.2 (ARM 17.8.749).
11. Casino Creek shall not operate more than six crushers at any given time and the maximum combined rated capacity of the crushers shall not exceed 600 tons per hour (TPH) (ARM 17.8.749).
12. Total crushing/screening production shall be limited to 625,000 tons during any rolling 12-month time period (ARM17.8.749).
13. Casino Creek shall not operate more than three screens at any given time and the maximum combined rated capacity of the screens shall not exceed 550 TPH (ARM 17.8.749).
14. Total batch plant production shall be limited to 577,500 tons during any rolling 12-month time period (ARM17.8.749).
15. Casino Creek shall not operate more than two diesel engines/generators at any given time and the maximum rated design capacity of the generators shall not exceed 500 Kilowatts (kW) and shall not exceed 3,000 hours of operation during any rolling 12-month time period (ARM 17.8.749).
16. If the permitted equipment is used in conjunction with any other equipment owned or operated by Casino Creek, at the same site, production shall be limited to correspond with an emission level that does not exceed 250 tons of emissions during any rolling 12-month time period. Any calculations used to establish production levels shall be approved by the Department (ARM 17.8.749).

B. Testing Requirements

1. Within 60 days after achieving maximum production, but no later than 180 days after initial start-up, an Environmental Protection Agency (EPA) Method 9 opacity test and/or other methods and procedures as specified in 40 CFR 60.675 must be performed on all NSPS affected equipment to demonstrate compliance with the emission limitations contained in Section II.A.1 and II.A.2 (ARM 17.8.340 and 40 CFR 60, General Provisions and Subpart OOO).
2. All compliance source tests shall be conducted in accordance with the Montana Source Test Protocol and Procedures Manual (ARM 17.8.106).
3. The Department may require testing (ARM 17.8.105).

C. Operational Reporting Requirements

1. If this crushing/screening plant is moved to another location, an Intent to Transfer form must be sent to the Department. In addition, a Public Notice Form for Change of Location must be published in a newspaper of general circulation in the area to which the transfer is to be made, at least 15 days prior to the move. The Intent to Transfer form and the proof of publication (affidavit) of the Public Notice Form for Change of Location must be submitted to the Department prior to the move. These forms are available from the Department (ARM 17.8.765).

2. Casino Creek shall supply the Department with annual production information for all emission points, as required, by the Department in the annual emission inventory request. The request will include, but is not limited to, all sources of emissions identified in the most recent emission inventory report and sources identified in Section I.A of the permit analysis.

Production information shall be gathered on a calendar-year basis and submitted to the Department by the date required in the emission inventory request. Information shall be in units, as required by the Department (ARM 17.8.505).

3. Casino Creek shall notify the Department of any construction or improvement project conducted pursuant to ARM 17.8.745, that would include a change in control equipment, stack height, stack diameter, stack flow, stack gas temperature, source location, or fuel specifications, or would result in an increase in source capacity above its permitted operation or the addition of a new emission unit. The notice must be submitted to the Department, in writing, 10 days prior to start-up or use of the proposed de minimis change or as soon as reasonably practicable in the event of an unanticipated circumstance causing the de minimis change and must include the information requested in ARM 17.8.745(1)(d) (ARM 17.8.745).
4. Casino Creek shall document, by month, the crushing/screening production from the facility. By the 25th day of each month, Casino Creek shall calculate the crushing production from the facility for the previous month. The monthly information will be used to verify compliance with the rolling 12-month limitation in Section II.A.12. The information for each of the previous months shall be submitted along with the annual emission inventory (ARM 17.8.749).
5. Casino Creek shall document, by month, the amount of concrete produced. By the 25th day of each month, Casino Creek shall calculate the total amount of concrete produced during the previous month. The monthly information will be used to verify compliance with the rolling 12-month limitation in Section II.A.14. The information for each of the previous months shall be submitted along with the annual emission inventory (ARM 17.8.749).

6. Casino Creek shall document, by month, the hours of operation of the engines/generators. By the 25th day of each month, Casino Creek shall total the hours of operation of the concrete batch plant during the previous month. The monthly information will be used to verify compliance with the rolling 12-month limitation in Section II.A.15. The information for each of the previous months shall be submitted along with the annual emissions inventory (ARM 17.8.749).

Section III: General Conditions

- A. Inspection - Casino Creek shall allow the Department's representatives access to the source at all reasonable times for the purpose of making inspections or surveys, collecting samples, obtaining data, auditing any monitoring equipment (CEMS, CERMS) or observing any monitoring or testing, and otherwise conducting all necessary functions related to this permit.
- B. Waiver - The permit and all the terms, conditions, and matters stated herein shall be deemed accepted if the recipient fails to appeal as indicated below.
- C. Compliance with Statutes and Regulations - Nothing in this permit shall be construed as relieving the permittee of the responsibility for complying with any applicable federal or Montana statute, rule or standard, except as specifically provided in ARM 17.8.740, *et seq.* (ARM 17.8.756).
- D. Enforcement - Violations of limitations, conditions and requirements contained herein may constitute grounds for permit revocation, penalties, or other enforcement as specified in Section 75-2-401 *et seq.*, MCA.
- E. Appeals - Any person or persons jointly or severally adversely affected by the Department's decision may request, within 15 days after the Department renders its decision, upon affidavit setting forth the grounds therefore, a hearing before the Board of Environmental Review (Board). A hearing shall be held under the provisions of the Montana Administrative Procedures Act. The filing of a request for a hearing does not stay the Department's decision, unless the Board issues a stay upon receipt of a petition and a finding that a stay is appropriate under Section 75-2-211(11)(b), MCA. The issuance of a stay on a permit by the Board postpones the effective date of the Department's decision until conclusion of the hearing and issuance of a final decision by the Board. If a stay is not issued by the Board, the Department's decision on the application is final 16 days after the Department's decision is made.
- F. Permit Inspection - As required by ARM 17.8.755, Inspection of Permit, a copy of the air quality permit shall be made available for inspection by Department personnel at the location of the permitted source.
- G. Permit Fee - Pursuant to Section 75-2-220, MCA, as amended by the 1991 Legislature, failure to pay by the permittee of an annual operation fee may be grounds for revocation of this permit, as required by that Section and rules adopted thereunder by the Board.
- H. Construction Commencement - Construction must begin within three years of permit issuance and proceed with due diligence until the project is complete or the permit shall be revoked.
- I. The Department may modify the conditions of this permit based on local conditions of any future site. These factors may include, but are not limited to, local terrain, meteorological conditions, proximity to residences, etc.
- J. Casino Creek shall comply with the conditions contained in this permit while operating in any location in the state of Montana, except within those areas having a Department approved permitting program.

PERMIT ANALYSIS
Casino Creek Concrete, Inc.
Permit Number 2696-03

I. Introduction/Process Description

A. Permitted Equipment

On January 23, 2002, Casino Creek Concrete, Inc. (Casino Creek), submitted a complete permit application to operate a portable crushing/screening facility and associated wash plant. The crushing/screening facility consists of the following equipment:

- 1970 Pioneer (30"x40") Rolls Crusher (maximum capacity 150 TPH),
- Pre-1983 (10"x36") Diamond Jaw Crusher (maximum capacity 80 TPH),
- Pre-1983 (36") Telesmith Cone Crusher (maximum capacity 66 TPH),
- Pre-1983 Cemco USI Impact Crusher (maximum capacity 23 TPH),
- 2005 Trio Jaw Crusher (maximum capacity 150 TPH),
- 1992 Nordberg HP200 Closed Circuit Cone Crusher (maximum capacity 125 TPH),
- Pre-1983 (5'x14') Cedar Rapids 2-deck Screen (maximum capacity 250 TPH),
- Pre-1983 (4'x14') Cedar Rapids 3-deck Screen (maximum capacity 150 TPH),
- 1965 400 KW Detroit Diesel generator, and;
- associated equipment.

The batch plant consists of a Coneco concrete batch plant, a Fastway batch plant, and associated equipment. The wash plant consists of a Pre-1983 EL-Jay 5'x16' 3-deck screen (maximum capacity 150 TPH), a 100 kW diesel generator, 4 conveyors, and associated equipment.

B. Process Description

Casino Creek proposes to use this crushing/screening plant and associated equipment to crush and sort sand and gravel materials for use in various construction operations. For a typical operational setup, materials are loaded into a hopper that feeds a screen. Materials are sorted and sent to a second screen. After the second screen, materials are separated, with the smaller materials conveyed to a jaw and rolls crusher and the larger materials sent to an impact and cone crusher and recycled back to the primary screen. Once the materials are properly sized, the aggregate is sent to a wash plant, where the materials are washed, screened, and stockpiled for sale and use.

Casino Creek also proposes to use the batch plans to produce concrete. For a typical operational setup, stockpiles of sand and gravel for concrete production are stored on site. A loader transfers the sand and gravel from the stockpiles to a weight hopper and the sand and gravel is then conveyed into the batch plant. The cement silo transfers the cement into the batch plant where water is added. The sand, gravel, cement, and water are then loaded into mixing trucks where the materials are mixed together to form concrete. The concrete is then transferred to various construction operations.

C. Permit History

On May 9, 1991, Casino Creek was issued a permit to operate a portable pre-1983 Diamond Jaw Crusher (maximum capacity 80 TPH) and associated equipment. Casino Creek originally located the East ½ of Section 20, Township 16 North, Range 17 East, in Fergus County, Montana. Casino Creek's permit was assigned Permit **#2696-00**.

On January 23, 2002, Casino Creek submitted a complete permit application for the operation

of a portable crushing/screening facility and associated wash plant. Casino Creek added a 1970 Pioneer (30"x40") Rolls Crusher, a Pre-1983 (10"x36") Diamond Jaw Crusher, Pre-1983 (36") Telesmith Cone Crusher, Pre-1983 Cemco USI Impact Crusher, Pre-1983 (5'x14') Cedar Rapids 2-deck Screen, Pre-1983 (4'x14') Cedar Rapids 3-deck Screen, a 1965 400 kW Detroit Diesel generator, 9 conveyors, and associated equipment to Permit #2696-00. Also, a wash plant consisting of a Pre-1983 EL-Jay 5'x16' 3-deck screen, a 100 kW diesel generator, 4 conveyors, and associated equipment was added. Permit #2696-01 replaced Permit #2696-00.

On January 27, 2006, Casino Creek submitted a complete permit application for the operation of a portable crushing/screening facility and associated batch plants. Casino Creek requested to add a 2005 Trio Jaw Crusher, a Coneco concrete batch plant, a Fastway batch plant, and associated equipment to Permit #2696-01. The permit action added the new equipment to the list of permitted equipment and updated the permit to reflect current permit language and rule references used by the Department. Permit #2696-02 replaced Permit #2696-01.

D. Current Permit Action

On April 10, 2006, Casino Creek submitted a request to amend Permit #2696-02. Casino Creek requested to add a Nordberg HP200 Closed Circuit Cone Crusher and associated equipment to Permit #2696-02. The additional equipment results in the generation of particulate emissions of less than 15 tons per year. Therefore, the crushing facility is added in accordance with ARM 17.8.745. The current permit action will add the new equipment to the list of permitted equipment and update the permit to reflect current permit language. Permit #2696-03 will replace Permit #2696-02.

E. Additional Information

Additional information, such as applicable rules and regulations, Best Available Control Technology (BACT)/Reasonably Available Control Technology (RACT) determinations, air quality impacts, and environmental assessments, is included in the permit analysis associated with each change to the permit.

II. Applicable Rules and Regulations

The following are partial explanations of some applicable rules and regulations that apply to the facility. The complete rules are stated in the Administrative Rules of Montana (ARM) and are available, upon request, from the Department. Upon request, the Department will provide references for locations of complete copies of all applicable rules and regulations or copies where appropriate.

A. ARM 17.8, Sub-Chapter 1, General Provisions, including, but not limited to:

1. ARM 17.8.101 Definitions. This rule is a list of applicable definitions used in this sub-chapter, unless indicated otherwise in a specific sub-chapter.
2. ARM 17.8.105 Testing Requirements. Any person or persons responsible for the emission of any air contaminant into the outdoor atmosphere shall, upon written request of the Department, provide the facilities and necessary equipment, including instruments and sensing devices, and shall conduct tests, emission or ambient, for such periods of time as may be necessary, using methods approved by the Department.
3. ARM 17.8.106 Source Testing Protocol. The requirements of this rule apply to any

emission source testing conducted by the Department, any source, or other entity as required by any rule in this chapter, or any permit or order issued pursuant to this chapter, or the provisions of the Clean Air Act of Montana, 75-2-101, *et seq.*, Montana Code Annotated (MCA).

Casino Creek shall comply with all requirements contained in the Montana Source Test Protocol and Procedures Manual, including, but not limited to, using the proper test methods and supplying the required reports. A copy of the Montana Source Test Protocol and Procedures Manual is available from the Department upon request.

4. ARM 17.8.110 Malfunctions. The Department must be notified promptly by telephone whenever a malfunction occurs that can be expected to create emissions in excess of any applicable emission limitation or to continue for a period greater than 4 hours.
5. ARM 17.8.111 Circumvention. No person shall cause or permit the installation or use of any device or any means that without resulting in reduction in the total amount of air contaminant emitted, conceals or dilutes an emission of air contaminant that would otherwise violate an air pollution control regulation. No equipment that may produce emissions shall be operated or maintained in such a manner that a public nuisance is created.

B. ARM 17.8, Sub-Chapter 2, Ambient Air Quality, including, but not limited to:

1. ARM 17.8.210 Ambient Air Quality Standards for Sulfur Dioxide
2. ARM 17.8.211 Ambient Air Quality Standards for Nitrogen Dioxide
3. ARM 17.8.212 Ambient Air Quality Standards for Carbon Monoxide
4. ARM 17.8.220 Ambient Air Quality Standard for Settled Particulate Matter
5. ARM 17.8.223 Ambient Air Quality Standard for PM₁₀

Casino Creek must comply with the applicable ambient air quality standards.

C. ARM 17.8, Sub-Chapter 3, Emission Standards, including, but not limited to:

1. ARM 17.8.304 Visible Air Contaminants. This rule requires that no person may cause or authorize emissions to be discharged into the outdoor atmosphere from any source installed after November 23, 1968, that exhibit an opacity of 20% or greater averaged over six consecutive minutes.
2. ARM 17.8.308 Particulate Matter, Airborne. Under this section, Casino Creek shall not cause or authorize the use of any street, road, or parking lot without taking reasonable precautions to control emissions of airborne particulate matter.
3. ARM 17.8.310 Particulate Matter, Industrial Processes. This section requires that no person shall cause, allow, or permit to be discharged into the atmosphere particulate matter in excess of the amount set forth in this section.

4. ARM 17.8.340 Standards of Performance for New Stationary Sources. The owner

and operator of any stationary source or modification, as defined and applied in 40 CFR Part 60, New Source Performance Standards (NSPS), shall comply with the standards and provisions of 40 CFR Part 60. In order for a crushing/screening plant to be subject to NSPS requirements, two specific criteria must be met. First, the crushing/screening plant must meet the definition of an affected facility and, second, the equipment in question must have been constructed, reconstructed, or modified after August 31, 1983. In the case of Casino Creek, the 2005 Trio Jaw Crusher and the 1992 Nordberg Cone Crusher were constructed, reconstructed, or modified after August 31, 1983; therefore, the 2005 Trio Jaw Crusher and the 1992 Nordberg Cone Crusher do meet the definition of affected facilities and, subsequently, the facility is subject to NSPS requirements (40 CFR Part 60, Subpart OOO, and Subpart A). In addition, if any affected equipment is used in conjunction with this facility, the effected equipment will be subject to NSPS requirements.

D. ARM 17.8, Sub-Chapter 5, Air Quality Permit Application, Operation, and Open Burning Fees, including, but not limited to:

1. ARM 17.8.504 Air Quality Permit Application Fees. This section requires that an applicant submit an air quality permit application fee concurrent with the submittal of an air quality permit application. A permit application is incomplete until the proper application fee is paid to the Department. Casino Creek was not required to submit an application fee because the current permit action is considered an administrative permit action.
2. ARM 17.8.505 Air Quality Operation Fees. An annual air quality operation fee must, as a condition of continued operation, be submitted to the Department by each source of air contaminants holding an air quality permit, excluding an open burning permit, issued by the Department. This operation fee is based on the actual or estimated actual amount of air pollutants emitted during the previous calendar year. An air quality operation fee is separate and distinct from an air quality permit application fee. The annual assessment and collection of the air quality operation fee, described above, shall take place on a calendar-year basis. The Department may insert into any final permit issued after the effective date of these rules, such conditions as may be necessary to require the payment of an air quality operation fee on a calendar-year basis, including provisions that pro-rate the required fee amount.

E. ARM 17.8, Subchapter 7 – Permit, Construction, and Operation of Air Contaminant Sources, including, but not limited to:

1. ARM 17.8.740 Definitions. This rule is a list of applicable definitions used in this chapter, unless indicated otherwise in a specific subchapter.
2. ARM 17.8.743 Montana Air Quality Permits--When Required. This rule requires a person to obtain an air quality permit or permit alteration to construct, alter, or use any asphalt plant, crusher or screen that has the Potential to Emit (PTE) greater than 15 tons per year of any pollutant. Casino Creek has a PTE greater than 15 tons per year of total PM, NO_x, and PM₁₀; therefore, an air quality permit is required.
3. ARM 17.8.744 Montana Air Quality Permits--General Exclusions. This rule identifies the activities that are not subject to the Montana Air Quality Permit program.
4. ARM 17.8.745 Montana Air Quality Permits--Exclusion for De Minimis Changes. This rule identifies the de minimis changes at permitted facilities that do not require a permit under the Montana Air Quality Permit Program.
5. ARM 17.8.748 New or Modified Emitting Units--Permit Application Requirements.

(1) This rule requires that a permit application be submitted prior to installation, alteration, or use of a source. A permit application was not required for the current permit action because the permit change is considered an administrative permit change. (7) This rule requires that the applicant notify the public by means of legal publication in a newspaper of general circulation in the area affected by the application for a permit. An affidavit of publication was not required for the current permit action because the change is considered an administrative permit change.

6. ARM 17.8.749 Conditions for Issuance or Denial of Permit. This rule requires that the permits issued by the Department must authorize the construction and operation of the facility or emitting unit subject to the conditions in the permit and the requirements of this subchapter. This rule also requires that the permit must contain any conditions necessary to assure compliance with the Federal Clean Air Act (FCAA), the Clean Air Act of Montana, and rules adopted under those acts.
7. ARM 17.8.752 Emission Control Requirements. This rule requires a source to install the maximum air pollution control capability that is technically practicable and economically feasible, except that BACT shall be utilized. The required BACT analysis is included in Section III of this permit analysis.
8. ARM 17.8.755 Inspection of Permit. This rule requires that air quality permits shall be made available for inspection by the Department at the location of the source.
9. ARM 17.8.756 Compliance with Other Requirements. This rule states that nothing in the permit shall be construed as relieving Casino Creek of the responsibility for complying with any applicable federal or Montana statute, rule, or standard, except as specifically provided in ARM 17.8.740, *et seq.*
10. ARM 17.8.760 Additional Review of Permit Applications. This rule describes the Department's responsibilities for processing permit applications and making permit decisions on those applications that require an environmental impact statement.
11. ARM 17.8.762 Duration of Permit. An air quality permit shall be valid until revoked or modified, as provided in this subchapter, except that a permit issued prior to construction of a new or altered source may contain a condition providing that the permit will expire unless construction is commenced within the time specified in the permit, which in no event may be less than one year after the permit is issued.
12. ARM 17.8.763 Revocation of Permit. An air quality permit may be revoked upon written request of the permittee, or for violations of any requirement of the Clean Air Act of Montana, rules adopted under the Clean Air Act of Montana, the FCAA, rules adopted under the FCAA, or any applicable requirement contained in the Montana State Implementation Plan (SIP).
13. ARM 17.8.764 Administrative Amendment to Permit. An air quality permit may be amended for changes in any applicable rules and standards adopted by the Board of Environmental Review (Board) or changed conditions of operation at a source or stack that do not result in an increase of emissions as a result of those changed conditions. The owner or operator of a facility may not increase the facility's emissions beyond permit limits unless the increase meets the criteria in ARM 17.8.745 for a de minimis change not requiring a permit, or unless the owner or operator applies for and receives another permit in accordance with ARM 17.8.748, ARM 17.8.749, ARM 17.8.752, ARM 17.8.755, and ARM 17.8.756, and with all applicable requirements in ARM Title 17, Chapter 8, Subchapters 8, 9, and 10.
14. ARM 17.8.765 Transfer of Permit. (1) This rule states that an air quality permit may

be transferred from one location to another if the Department receives a complete notice of Intent to Transfer location, the facility will operate in the new location for less than one year, the facility will comply with the FCAA and the Clean Air Act of Montana, and the facility complies with other applicable rules. (2) This rule states that an air quality permit may be transferred from one person to another if written notice of Intent to Transfer, including the names of the transferor and the transferee, is sent to the Department.

F. ARM 17.8, Sub-Chapter 8, Prevention of Significant Deterioration of Air Quality, including, but not limited to:

1. ARM 17.8.801 Definitions. This rule is a list of applicable definitions used in this sub-chapter.
2. ARM 17.8.818 Review of Major Stationary Sources and Major Modifications-- Source Applicability and Exemptions. The requirements contained in ARM 17.8.819 through ARM 17.8.827 shall apply to any major stationary source and any major modification with respect to each pollutant subject to regulation under the Federal Clean Air Act (FCAA) that it would emit, except as this sub-chapter would otherwise allow.

This facility is not a major stationary source because it is not a listed source and does not have the PTE more than 250 tons per year (excluding fugitive emissions) of any air pollutant. Therefore, the New Source Review (NSR) program does not apply.

G. ARM 17.8, Sub-Chapter 12 - Operating Permit Program Applicability, including, but not limited to:

1. ARM 17.8.1201 Definitions. (23) Major Source under Section 7412 of the FCAA is defined as any stationary source having:
 - a. PTE > 100 tons/year of any pollutant.
 - b. PTE > 10 tons/year of any one Hazardous Air Pollutant (HAP), PTE > 25 tons/year of a combination of all HAPs, or lesser quantity as the Department may establish by rule.
 - c. Sources with the PTE > 70 tons/year of PM₁₀ in a serious PM₁₀ nonattainment area.
2. ARM 17.8.1204 Air Quality Operating Permit Program Applicability. Title V of the FCAA Amendments of 1990 requires that all sources, as defined in ARM 17.8.1204 (1), obtain a Title V Operating Permit. In reviewing and issuing Air Quality Permit #2696-03 for Casino Creek, the following conclusions were made:
 - a. The facility's PTE is less than 100 tons/year for all criteria pollutants.
 - b. The facility's PTE is less than 10 tons/year for any one HAP and less than 25 tons/year of all HAPs.
 - c. This source is not located in a serious PM₁₀ non-attainment area.
 - d. This facility is not subject to any current NESHAP standards.
 - e. This facility is not currently subject to NSPS requirements.
 - f. This source is not a Title IV affected source or a solid waste combustion unit.
 - g. This source is not an EPA designated Title V source.

Casino Creek is not subject to Title V Operating Permit requirements because their potential emissions are less than the Title V thresholds. Based on these facts, the Department determined that this facility is not subject to the Title V Operating Permit Program. However, in the event that the EPA makes minor sources that are subject to NSPS obtain a Title V Operating Permit, this source will be subject to the Title V Operating Permit Program.

III. BACT Analysis

A BACT determination is required for any new or altered source. Casino Creek shall install on the new or altered source the maximum air pollution control capability that is technologically practicable and economically feasible, except that BACT shall be used. A BACT determination was not required because the permit change is considered an administrative permit change.

IV. Emission Inventory

Source	PM	PM-10	NOX	Tons/Year VOC	CO	SOX
Pre-1983 (10"x36") Jaw Crusher (80 TPH)	0.32	0.14				
1970 Pioneer (30"x40") Rolls Crusher (150 TPH)	0.61	0.27				
Pre-1983 (36") Telesmith Cone Crusher (66 TPH)	0.27	0.12				
Pre-1983 Cemso USI Impact Crusher (23 TPH)	0.09	0.04				
2005 Trio Jaw Crusher (150 TPH)	0.61	0.27				
1992 Nordberg Closed Circuit Crusher (125 TPH)	0.51	0.23				
Pre-1983 (5'x14') Cedar Rapids 2-deck Screen (250 TPH)	7.31	2.81				
Pre-1983 (4'x14') Cedar Rapids 3-deck Screen (150 TPH)	4.39	1.69				
Wash Plant Pre-1983 5'x16' 3-deck Screen (150 TPH)	4.39	1.69				
Material Transfer	10.13	3.71				
Wash Plant Material Transfer	0.27	0.10				
Pile Forming	6.30	3.00				
Wash Plant Pile Forming	0.38	0.18				
Bulk Loading	1.58	0.75				
Wash Plant Bulk Loading	0.19	0.09				
Diesel Generator (400 kw)	1.77	2.65	24.92	1.99	5.37	1.65
Diesel Generator (100 kw)	0.44	0.66	6.23	0.50	1.34	0.41
Haul Roads	3.83	1.72				
Coneco Batch Plant (40 yd ³ /hr) (see table below)	34.30	12.42				
Fastway Batch Plant (100 yd ³ /hr) (see table below)	13.72	4.97				
Total	91.40	37.51	31.16	2.48	6.71	2.06

A complete emission inventory for Permit #2696-03 is on file with the Department.

V. Existing Air Quality

Permit #2696-03 is issued for the operation of a portable crushing/screening plant to be located in the East ½ of Section 20, Township 16 North, Range 17 East, in Fergus County, Montana. Permit #2696-03 will also cover the operation while operating at any location within the State of Montana, excluding those counties that have a Department approved permitting program.

VI. Ambient Air Quality Impact Analysis

In the view of the Department, the amount of controlled emissions generated by this facility will not exceed any set ambient standard. In addition, this source is portable and any air quality impacts will be minimal.

VII. Taking or Damaging Implication Analysis

As required by 2-10-101 through 105, MCA, the Department conducted a private property taking and damaging assessment and determined there are no taking or damaging implications.

VIII. Environmental Assessment

This permitting action is considered an administrative action; therefore, an environmental assessment

is not required.

Prepared by: Trista Glazier
Date: 4/26/06